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**Report of the Head of Planning and Development****DISTRICT-WIDE PLANNING COMMITTEE****Date: 30-Jul-2026****Subject: Planning Application 2026/90484 Change of use from dwelling to C2 for 4 children, erection of first floor extension and front porch, internal and external alterations 143, Church Lane, Gomersal, Cleckheaton, BD19 4QN****APPLICANT**Eddie Elliott-Smith,  
Harmony House Retreat  
Ltd**DATE VALID**

02-Mar-2026

**TARGET DATE**

27-Apr-2026

**EXTENSION EXPIRY DATE**

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Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

[Public speaking at committee link](#)**LOCATION PLAN****Map not to scale – for identification purposes only**

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**Electoral wards affected: Liversedge & Gomersal**

**Ward Councillors consulted: NO**

**Public or private: Public**

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**RECOMMENDATION:**

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report.

**1.0 INTRODUCTION:**

- 1.1 This application is brought to the District Wide Planning Committee due to receiving a significant number of representation contrary to officer recommendation in accordance with the Council's Scheme of Delegation. 40 representations have been made.
- 1.2 The Chair has reviewed the application and confirmed the application should be referred to planning committee for decision, in line with the Council's Scheme of Delegation.

**2.0 SITE AND SURROUNDINGS:**

- 2.1 143 Church Lane is a detached, brick built dwelling with garden and drive to the front, a garage attached to the side and single and two storey extensions with a rear garden. The property is located on Church Lane with a mix of house ages and types.

**3.0 PROPOSAL:**

- 3.1 The application is seeking planning permission to change the use to a children's home. The home is to provide care for four children with up to four staff members (1 per child) during the day and two staff overnight with a manager during the day.

**4.0 RELEVANT PLANNING HISTORY (including enforcement history):**

- 4.1 None

**5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):**

- 5.1 Amended plans were sought and received altering the design of the front extension.

**6.0 PLANNING POLICY:**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27<sup>th</sup> February 2019).

## 6.2 Kirklees Local Plan (2019):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 7** – Efficient use of buildings
- **LP 11** – Housing mix
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity
- **LP 57** – Green Belt

## 6.3 Supplementary Planning Guidance / Documents:

Kirklees Planning Guidance for Children's Homes 2025 provides guidance to assist applicants, planning officers, and stakeholders in the preparation and assessment of planning applications for children's homes within Kirklees. While it sets out key considerations, policy context, and good practice principles, it is important to note that this guidance does not form part of the statutory development plan and has not been adopted as a Supplementary Planning Document (SPD). As such, it carries limited weight in the formal decision making process but may be used as a material consideration where relevant to the planning judgement of individual cases.

Insofar as the extensions to the building relate to a building which is currently a dwelling it is considered that the House Extensions and Alterations SPD is relevant to the consideration of this application.

## 6.4 National Planning Policy Framework (NPPF):

- Chapter 2 – Achieving sustainable development
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable travel
- Chapter 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt land
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

## 6.5 Legislation

- The Town & Country Planning Act 1990 (as amended).
- Section 17 of the Crime and Disorder Act 1998 (as amended)

## **7.0 PUBLIC/LOCAL RESPONSE:**

7.1 Publicity has been undertaken in accordance with the Council's Development Management Charter. Site notice with an expiry date of 09/04/2026. Following this publicity, 40 representations have been received. The matters raised are summarised as follows:

- Ongoing works without planning permission in place.
- The modern design would be out of character with the area.
- The scale of extension is too large for the green belt.
- The plot is constrained; further extensions would further constrain the plot.
- Overbearing impact.
- Overlooking.
- Noise from the future occupants.
- Parking concerns in terms of staff, shift changeovers and visitors.
- Intensification and institutionalisation of the property.
- Suitability of the location for vulnerable children.
- Compatibility of the use as a children's home in a residential area.
- The police have objected on safeguarding grounds.
- Children's Services have commented that there is sufficiency in the wider area and that this model of children's home is not currently required.
- The broad scope of a C2 use could result in future uses that are incompatible with the residential area.
- The management plan is internally inconsistent and lacks operational credibility.
- The loss of an "ordinary" dwelling from housing stock.
- The future residents may display anti-social behaviour.
- Inadequate space to the rear for the proposed occupants.
- The bus stops in close proximity represent a danger to the children.
- The cost of housing in the area is such that 18-year-olds leaving children's homes to access appropriate, semi-independent accommodation locally.
- Inadequate bathroom provision.

7.2 The representations received are addressed within the following report.

## **8.0 CONSULTATION RESPONSES:**

8.1 **K.C. Designing Out Crime Officer (DOCO)** – Objection to application

8.2 **K.C. Children's Commissioning** – Comments received which are not in support of the application

## **9.0 MAIN ISSUES**

- Principle of development
- Green belt
- Visual amenity
- Residential amenity
- Highway issues
- Crime & antisocial behaviour
- Representations
- Other matters

## **10.0 APPRAISAL**

### Principle of development

- 10.1 The site is within the Green Belt on the Kirklees Local Plan Proposals Map. As such a key consideration will be its impact on the Green Belt and it will be assessed having regard to Policy LP57 and NPPF chapter 13.
- 10.2 Policy LP2 of the Kirklees Local Plan sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.
- 10.3 The Local Plan has no policies specifically relating to care homes. Therefore, there is no presumption against such a use. The principle of the proposal upholds the aims of the NPPF in terms of addressing the needs of groups with specific housing requirements.
- 10.4 In terms of changing the use of the building, Policy LP24 of the Kirklees Local Plan is relevant in conjunction with Chapters 8 and 12 of the NPPF taking into account the character of the area, the amenities of neighbouring properties, highway safety and ensuring the safe operation of the home and community cohesion.
- 10.5 A children's home differs from residential dwelling because, although the children live there full-time, the home is run with professional care staff working in shifts rather than as a single household. This means the use functions as a residential care facility than a typical family home. As a result, the development falls under use Class C2 (Residential Institution), rather than a dwelling which is use Class C3 (Dwellinghouse).
- 10.6 On the basis the development is considered acceptable in respect of all relevant material considerations, as discussed within the following report, the principle of development is considered to be acceptable and accord with the aforementioned policies.

### Green Belt:

- 10.7 The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt. Paragraph 153 of the NPPF states that inappropriate development should not be approved except in 'very special circumstances'.
- 10.8 Paragraphs 154 and 155 of the NPPF set out that certain forms of development are exceptions to 'inappropriate development'. Paragraph 154 sets out that the extension or alteration of a building could be appropriate provided it does not result in disproportionate additions over and above the size of the original building. Policy LP57 of the Kirklees Local Plan is consistent with advice within the NPPF. Policy LP57 of the Local Plan relates to the extension, alteration and replacement of existing buildings in the Green Belt. In the case of extensions, it notes that these will be acceptable provided that the original building remains the dominant element both in terms of size and overall appearance.

- 10.9 Policy LP57 also outlines that such development should not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standing, curtilages and enclosures and means of access. Further to this, Policy LP57 states that with such development, the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting.
- 10.10 The site lies within the designated Green Belt; however, it is located within the built-up stretch of road with residential properties to either side. As such, the proposal would not encroach into open countryside, and the openness of the Green Belt—both in spatial and visual terms—would not be harmed. The porch and first floor side extension represents modest additions to the host dwelling, with its scale, footprint and overall massing considered to be modest relative to the existing building. The main house remains the dominant element, and the proposal does not result in disproportionate additions over and above the size of the original dwelling. The scheme therefore preserves the openness of the Green Belt and does not conflict with the purposes of including land within it, in accordance with national and local Green Belt policy.

#### Visual amenity

- 10.11 Policy LP24 of the Kirklees Local Plan, consistent with chapter 12 of the NPPF, states, inter alia, that the form, scale, layout and details of all development respects and enhances the character of the townscape.
- 10.12 The site currently hosts a detached dwelling. The proposal would include a front porch, a first floor extension over the garage with associated alterations.
- 10.13 *Front porch:* Paragraph 5.13 of the House Extensions & Alterations SPD states that front extensions are highly prominent in the street scene. As per paragraph 5.14 of the House Extensions & Alterations SPD, careful consideration needs to be given to ensure that they are carefully designed to limit the potential for them to erode the character, they should be small and subservient to the main house and constructed using appropriate materials. The scale of the front extension has been reduced to a single storey extension. The materials proposed would match the main building and the extension would form an appropriate relationship with the host property. The dwelling is located on a residential street with mixed style properties, as such the alteration is not considered to be out of character.
- 10.14 *First floor side extension:* Paragraphs 5.15, 5.19 & 5.21 of the House Extensions & Alterations SPD are of relevance with regards to the side extension as these require the development to be located and designed to minimise the impact on the character of the area, reflect the original building in terms of materials and detailing and ensure adequate space is retained to provide a sense of space. The first floor side extension would be set back from the front of the dwelling, with a corresponding set down of the roof, allowing the extension to appear subservient. There would be a limited space to the side. However, the property adjacent has a different orientation – fronting onto The Coppice and is set at a lower level. As such, the sense of space along Church Lane would not be eroded. The materials proposed would match the main building. Furthermore, the mixed character of the properties on Church Lane are such, that the extended property is not considered to be out of character. It is considered the alterations in terms of the fenestration would be acceptable in the street scene.

- 10.15 With regards to the proposed use of the property as a children's home, staff arriving and departing from the property, when considered in isolation, would not ordinarily be expected to result in a significant change to the character of the area, given the limited number of individuals typically in attendance at any one time. It is acknowledged that up to four staff members and a manager may be present during the day to accommodate shift patterns, handovers, and operational requirements, which may generate periods of increased activity and vehicle movements. Occasional visits from other professionals may also occur. However, these operational characteristics, taken alone, are broadly comparable to the comings and goings associated with a dwelling and would not, in themselves, be out of keeping with the established residential character of the street.
- 10.16 It is considered the proposed change of use would not cause any significant harm to visual amenity on both the property itself or the wider street scene. It is therefore considered that the proposed works would accord with Policy LP24 and policies contained within Chapter 12 of the NPPF.

#### Residential Amenity

- 10.17 Policy LP24 of the Kirklees Local Plan require of developments, inter alia, a good standard of amenity for future occupants and neighbouring occupiers, as well as a minimising of the impact on residential amenity of future and neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.
- 10.18 Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.
- 10.19 There are no properties directly to the front which could be affected by the works proposed.
- 10.20 *Impact on 141 Church Lane:* The limited scale of the front extension together with the set back from the shared boundary with the adjacent neighbour to the west is such that there would be no overlooking, overshadowing or overbearing.
- 10.21 *Impact on 1 The Coppice:* The adjacent property to the east occupies a lower land level than the host property. There are limited openings within the western elevation of this property that would be adjacent to the first floor extension. Specifically, at first floor the single openings serve an en-suite. There would also be some alignments with the side garden of the neighbour, which serves as the primary amenity space of the adjacent property. However, the increase over and above the existing arrangements on site is such that there would be limited additional overshadowing or overbearing. There are no openings proposed which would result in unacceptable levels of overlooking occurring.

10.22 *Impact on 3 The Coppice*: This property is to the north of the site, and the proposal would face the side of no.3. The size and scale of the proposal and fact no.3 has a blank side elevation with the main habitable openings being to the east / west elevations is such that the proposal is not considered to significantly impact upon no.3.

10.23 In considering noise and general disturbance, it is recognised that the use of a property as a children's home would not, in itself, be materially different from that of a typical family dwelling in residential amenity terms. The level and nature of activity associated with a small-scale children's home is likely to be comparable to that of a family household, with day-to-day comings and goings, internal activity, and outdoor use falling within what would reasonably be expected within a residential area. As such, the proposal would not be anticipated to generate noise levels or patterns of activity that would result in a harmful impact on the amenity of neighbouring occupiers over and above that ordinarily associated with a dwellinghouse use.

#### Highway issues

10.24 Local Plan Policy LP21 states that 'All proposals shall: a. ensure the safe and efficient flow of traffic within the development and on the surrounding highway network... e. Take into account the features of surrounding roads and footpaths and provide adequate layout and visibility to allow the development to be accessed safely. This is supported by Chapters 9 and 12 of the NPPF and guidance within the Highways Design Guide SPDs. KC Highways Development Management (KC HDM) have also been consulted as part of this application.

10.25 It is acknowledged that there may be occasions when additional vehicles are present at the site, such as during staff changes, professional visits, or drop-off and collection periods. While the level of comings and goings associated with a single children's home is generally comparable to that of a dwellinghouse (Use Class C3), the presence of a recently approved children's home in very close proximity has the potential to result in overlapping patterns of activity. This could give rise to periods of increased on-street parking demand and vehicle movements within a localised area.

10.26 However, having regard to the level of on-site parking available, the relatively low frequency of professional visits (with social workers typically visiting on a monthly basis), and the nature of the care proposed—being long-term and stable placements—it is not considered that the cumulative impact of the two uses would give rise to severe or unacceptable pressure on parking provision or the local highway network.

10.27 Two spaces have been formed to the front of the property. The applicant has also submitted a parking policy document which would seek to ensure that as far as practicably possible the use of the off street parking within the site would be utilised.

10.28 The development therefore is considered to be acceptable in terms of highway safety and parking and inconsistent with policies LP21 and LP22 of the KLP.

## Crime & Anti-social Behaviour

- 10.29 The fear of crime is a material planning consideration. Chapters 8 and 12 of the NPPF state that decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible so that crime and disorder and the fear of crime to not undermine the quality of life or community cohesion. In addition, and under Section 17 of the Crime and Disorder Act 1998, the Council acting as Local Planning Authority has an obligation to have due regard to the likely impact upon and to do all it reasonably can to prevent crime and disorder.
- 10.30 Chapter 8 of the NPPF states that planning decisions should achieve healthy, inclusive and safe places which are accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. This is further reiterated under Chapter 12 of the NPPF which goes on further to state that planning decision should create spaces that are safe, inclusive and accessible which promote health and wellbeing, with a high standard of amenity for existing and future users and where crime and disorder and the fear of crime to not undermine the quality of life or community cohesion and resilience.
- 10.31 Policy LP1 of the Kirklees Local Plan forms a provision for development which do not have specific policies to ensure that permission can be granted unless there are material considerations including adverse impacts, which the potential for crime and disorder would be a significant factor, where the adverse impact would outweigh the benefits.
- 10.32 The potential for increased crime or anti-social behaviour arising from the behaviour of children residing in a children's home is a commonly held perception; however, national and local guidance make clear that there is no substantive evidence to support a direct causal link between such facilities and elevated levels of crime or disorder. Kirklees Council guidance explicitly identifies this concern as a prevalent misconception, noting that children's homes are subject to regulation by Ofsted and operate within robust safeguarding, staffing, and behavioural management frameworks. Furthermore, the submitted Management Plan sets out appropriate operational procedures and mitigation measures designed to manage residents' behaviour and promote positive outcomes, thereby minimising any potential impacts on the surrounding community. On this basis, the proposed development is not considered likely to result in any demonstrable or unacceptable increase in crime or anti-social behaviour within the locality.
- 10.33 The safety and wellbeing of the future occupants of the proposed children's home is a key consideration in the assessment of this application. The guidance provided by Kirklees Council highlights the importance of locating such facilities in safe, inclusive, and accessible areas, with appropriate safeguards in place to protect vulnerable children. The application is supported by a detailed Management Plan which outlines the operational arrangements to ensure a safe living environment.
- 10.34 The Designing Out Crime Officer (DOCO) has objected and highlighted concerns about potential threat factors to occupiers of the site within the wider area. However, it is noted that these are not located in close / immediate proximity to the application site.

- 10.35 In addition, the comments from the DOCO also include the input from the Neighbourhood Policing Team, who have raised no objection in principle.
- 10.36 Whilst the concerns raised from the West Yorkshire Police Designing Out Crime Officer are noted, it is considered that it would be unreasonable of the Local Planning Authority to refuse permission in this case on the basis of potential wider threats in the wider locality to occupiers of the property. The comments of West Yorkshire Police are informed by the Neighbourhood Policing Team which raise no objection.
- 10.37 No immediate or threat in close proximity is identified by the DOCO in their response and on balance, in this case it is considered the scale / nature of the proposal would not be such that refusal could be substantiated in this case.
- 10.38 The proposal is therefore concluded acceptable having regard to the aforementioned policy / legislation.

#### Other Matters

- 10.39 *Biodiversity*: Chapter 15 of the National Planning Policy Framework is relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers. Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. A Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission for minor sites granted pursuant to an application submitted after 02 April 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development. The applicant has stated the application falls under the 'Di-Minimus' exemption category within the application forms. A change of use would not result in a loss of wildlife habitat, the scale of the extensions would not impact upon more than 25m<sup>2</sup> of habitat. Therefore, the application is considered to be exempt from a BNG uplift requirement. Furthermore, given the scale and nature of the proposal it is not considered to have a significant impact upon bats and is considered acceptable having regard to the aforementioned policies.
- 10.40 *Sufficiency*: Comments have been received from the Council's Commissioning Manager regarding the sufficiency of provision, specifically in relation to the number of homes currently operating within Kirklees. While these observations are noted and provide useful context, it is important to clarify that sufficiency alone is not a material planning consideration that would justify refusal of the application. The planning assessment must remain focused on land use and planning policy matters, and as such, the concerns raised could not form a basis for refusal.

10.41 *Climate change*: On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target. However, it includes a series of policies, which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

#### Representations

10.42 The representations received have been summarised earlier in this report, for clarity they are repeated again (in italics) and addressed below.

- *Ongoing works without planning permission in place.*

10.43 **Officer comment:** General renovation of a domestic property is likely to be permissible without the need for a planning application to be submitted. This application is considered on the basis of the scheme as submitted.

- *The modern design would be out of character with the area.*

10.44 **Officer comment:** The dwelling is located on a residential street where the properties are mixed in terms of age and style. As such, the modernisation of the property would not be out of character.

- *The scale of extension is too large for the green belt.*

10.45 **Officer comment:** The property sits within a developed stretch of roadway, flanked by residential properties on both sides. Accordingly, the proposal would not extend into the open countryside, and the Green Belt's openness - both spatially and visually - would remain unaffected. The proposed porch and first-floor side extension are modest in scale, footprint, and overall massing when compared to the existing dwelling. The host property would continue to be the predominant feature on the site, and the additions would not constitute disproportionate extensions relative to the original building. As such, the development is considered to preserve the openness of the Green Belt.

- *The plot is constrained, further extension would further constrain the plot.*

10.46 **Officers comments:** Given that the proposed works comprise of a modest porch and a first-floor side extension, the development is not regarded as resulting in a constrained form of development. The additions are limited in scale and proportion, ensuring that the overall functionality and usability of the property are maintained without leading to overdevelopment of the site.

- *Overbearing impact.*
- *Overlooking.*

10.47 **Officer comments:** In terms of neighbouring amenity, it is not considered that the proposal would give rise to unacceptable levels of overbearing impact or overshadowing. This is set out in more detail in the 'Residential Amenity' section of this report.

- *Noise from the future occupants.*

10.48 **Officer comments:** With regard to potential noise and disturbance, the use of the property as a children's home is not considered to differ materially from that of a conventional family dwelling in terms of residential amenity. The scale and nature of activity associated with such a use would typically mirror normal domestic patterns, including everyday movements, internal living activities, and use of external areas. Consequently, it is not anticipated that the proposal would give rise to noise levels or general activity beyond what would ordinarily be expected within a residential setting, and therefore it would not result in any undue harm to the living conditions of neighbouring occupiers.

- *Parking concerns in terms of staff, shift changeovers and visitors.*

10.49 **Officer comments:** Concerns relating to parking associated with staff, shift changeovers and visitors have been carefully considered. Whilst it is acknowledged that there may be occasional periods where additional vehicles are present at the site, such as during staff handovers, professional visits, or drop-off and collection times, the overall level of activity is not considered to be significantly greater than that typically associated with a dwellinghouse. Although a similar use operates in close proximity, which may on occasion result in some overlap of vehicle movements, the frequency of such occurrences would be limited. Furthermore, the provision of two off-street parking spaces, together with the submitted parking management details, would assist in accommodating vehicles associated with the use. Taking these factors into account, it is not considered that the proposal would result in severe or unacceptable pressure on on-street parking or the surrounding highway network.

- *Intensification and institutionalisation of the property.*
- *Suitability of the location for vulnerable children.*
- *Compatibility of the use as a childrens home in a residential area.*
- *The broad scope of a C2 use could result in future uses that are incompatible with the residential area.*
- *The loss of an "ordinary" dwelling from housing stock.*
- *The cost of housing in the area is such that 18-year-olds leaving children's homes to access appropriate, semi-independent accommodation locally.*

10.50 **Officer comments:** The concerns raised have been carefully considered in the context of the proposed use. The change to a children's home would not result in an undue intensification or institutionalisation of the property, as the scale of occupation and day-to-day activities would remain broadly comparable to that of a family household. The site is located within an established residential area, which is considered suitable for providing a stable and supportive environment for vulnerable children, and the use is compatible with surrounding residential properties. While it is acknowledged that Use Class C2 can encompass a wider range of uses, the current proposal relates specifically to a small-scale children's home, and any

material change to a different form of care provision would be subject to further assessment as necessary. The loss of a single dwellinghouse from the housing stock is noted but is not considered significant enough to warrant refusal, particularly when weighed against the identified need for such accommodation. Matters relating to housing affordability for care leavers fall outside the remit of planning considerations of this application, and similarly, the adequacy of internal facilities, including bathroom provision, is primarily a matter for building regulations and care standards rather than planning control. Overall, the proposal is considered acceptable in land use terms.

- *The police have objected on safeguarding grounds.*
- *The future residents may display anti-social behaviour.*

**10.51 Officer comments:** The Designing Out Crime Officer (DOCO) has raised an objection, highlighting concerns regarding potential threat factors to future occupiers within the wider area. However, it is noted that these factors are not situated in close or immediate proximity to the application site. Concerns about increased crime or anti-social behaviour associated with children's homes are often raised; however, both national and local guidance indicate that there is no substantive evidence to support a direct link between such facilities and higher levels of crime or disorder. Kirklees Council guidance identifies this as a common misconception, emphasising that children's homes are regulated by Ofsted and operate within established frameworks for safeguarding, staffing, and behavioural management.

- *Children's Services have commented that there is sufficiency in the wider area and that this model of children's home is not currently required.*

**10.52 Officer comments:** Comments have been received from the Council's Commissioning Manager regarding the adequacy of existing provision, particularly in relation to the number of children's homes currently operating within Kirklees. Whilst these observations are acknowledged and provide helpful context, it should be noted that issues of sufficiency do not, in themselves, constitute a material planning consideration that would justify refusal. The assessment of the application must be based on relevant land use and planning policy matters, and therefore the concerns raised cannot reasonably form a basis for withholding planning permission.

- *The management plan is internally inconsistent and lacks operational credibility.*

**10.53 Officer comments:** The Council acknowledges the concerns raised regarding the management plan; however, it is not considered that the document is inconsistent or lacks operational credibility. The plan has been prepared to provide a proportionate framework for the day-to-day management of the site, setting out clear roles, procedures, and review mechanisms. Any perceived inconsistencies largely reflect the need for flexibility to respond to changing operational circumstances rather than a lack of coherence. Furthermore, the measures outlined are consistent with comparable schemes and are capable of being effectively implemented and monitored. Where necessary, compliance can be secured and refined through appropriately worded planning conditions, ensuring that the development operates in accordance with the approved details. As such, the management plan is considered robust and fit for purpose in planning terms.

- *Inadequate space to the rear for the proposed occupants.*

10.54 **Officer comments:** The objection regarding inadequate rear space for the proposed occupants is noted. However, it is not considered that the level of amenity space falls below an acceptable standard in this instance. The submitted details indicate that the rear area, which extends to approximately 48sqm and is to remain free from built development, would provide a reasonable and usable level of private amenity space once cleared of existing vegetation and appropriately maintained. In its cleared condition, the space is capable of accommodating outdoor seating and general domestic use commensurate with the scale and nature of the proposed accommodation. Furthermore, the site's proximity to public open space serves to supplement the on-site provision. On balance, it is therefore considered that the proposal would provide an acceptable level of amenity for future occupiers, and the objection is not sufficient to warrant refusal of the application.

- *The bus stops in close proximity represent a danger to the children.*

10.55 **Officer comments:** The objection regarding the proximity of bus stops and the associated risk to children is noted. However, it is not considered that the presence of nearby bus stops would not give rise to a material safety concern. Bus stops are a common and established feature within built-up areas and are located within highway environments designed to safely accommodate pedestrian and vehicular movements. The activity associated with bus services is intermittent and occurs at recognised stopping points, typically supported by existing footways and pedestrian infrastructure.

Furthermore, the presence of bus stops in close proximity contributes positively to the sustainability of the site, providing convenient access to public transport and reducing reliance on private vehicles in accordance with local and national planning objectives. The proposal does not introduce any unusual or intensified activity that would exacerbate risk beyond that typically experienced in a residential setting.

As such, it is not considered that the proximity of bus stops would result in an unacceptable impact on the safety of children, and the objection does not warrant refusal of the application.

- *Inadequate bathroom provision.*

10.56 **Officer comments:** The objection regarding inadequate bathroom provision is noted. However, this matter is not considered to raise a material planning concern. When assessed in the context of the proposal, the level of bathroom provision is consistent with what would typically be expected within a dwelling capable of accommodating a single household. As such, the arrangements are comparable to standard residential occupation and would not result in unacceptable living conditions for future occupiers. On this basis, the objection is acknowledged but does not warrant refusal of the application.

## **11.0 CONCLUSION**

- 11.1 In conclusion the proposed extension and change of use is considered to accord with the relevant policies.
- 11.2 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF, taken as a whole, constitute the Government's view of what sustainable development means in practice.
- 11.3 As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

## **12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)**

- 1. Development to be commence within 3 years.
- 2. Development to be undertaken in accordance with the submitted plans and specifications.
- 3. Matching materials.
- 4. Number of children no more than 4
- 5. Use to be in accordance with the submitted management plan.